

## § 102.0

- 102.15 Disregarded materials.
  - 102.17 Non-qualifying operations.
  - 102.18 Rules of interpretation.
  - 102.19 NAFTA preference override.
  - 102.20 Specific rules by tariff classification.
  - 102.21 Textile and apparel products.
  - 102.22 Rules of origin for textile and apparel products of Israel.
  - 102.23 Origin and Manufacturer Identification.
  - 102.24 Entry of textile or apparel products.
  - 102.25 Textile or apparel products under the North American Free Trade Agreement.
- APPENDIX TO PART 102—TEXTILE AND APPAREL MANUFACTURER IDENTIFICATION

AUTHORITY: 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

SOURCE: T.D. 94-4, 59 FR 113, Jan. 3, 1994, unless otherwise noted.

### § 102.0 Scope.

With the exception of §§102.21 through 102.25, this part sets forth rules for determining the country of origin of imported goods for the purposes specified in paragraph 1 of Annex 311 of the North American Free Trade Agreement (“NAFTA”). These specific purposes are: country of origin marking; determining the rate of duty and staging category applicable to originating textile and apparel products as set out in Section 2 (Tariff Elimination) of Annex 300-B (Textile and Apparel Goods); and determining the rate of duty and staging category applicable to an originating good as set out in Annex 302.2 (Tariff Elimination). The rules set forth in §§102.1 through 102.21 of this part will also apply for purposes of determining whether an imported good is a new or different article of commerce under §10.769 of the United States-Morocco Free Trade Agreement regulations and §10.809 of the United States-Bahrain Free Trade Agreement regulations. The rules for determining the country of origin of textile and apparel products set forth in §102.21 apply for the foregoing purposes and for the other purposes stated in that section. Section 102.22 sets forth rules for determining whether textile and apparel products are considered products of Israel for purposes of the customs laws and the administration of quantitative limitations. Sections 102.23 through 102.25 set forth certain procedural re-

## 19 CFR Ch. I (4-1-09 Edition)

quirements relating to the importation of textile and apparel products.

[CBP Dec. 05-32; 70 FR 58013, Oct. 5, 2005, as amended by CBP Dec. 07-81, 72 FR 58522, Oct. 16, 2007; CBP Dec. 08-29, 73 FR 45354, Aug. 5, 2008]

## Subpart A—General

### § 102.1 Definitions.

(a) *Advanced in value*. “Advanced in value” means an increase in the value of a good as a result of production with respect to that good, other than by means of those “minor processing” operations described in paragraphs (m)(5), (m)(6), and (m)(7) of this section.

(b) *Commingle*d. “Commingle” means physically combined or mixed.

(c) *Direct physical identification*. “Direct physical identification” means identification by visual or other organoleptic examination.

(d) *Domestic material*. “Domestic material” means a material whose country of origin as determined under these rules is the same country as the country in which the good is produced.

(e) *Foreign material*. “Foreign material” means a material whose country of origin as determined under these rules is not the same country as the country in which the good is produced.

(f) *Fungible goods or fungible materials*. “Fungible goods or fungible materials” means goods or materials that are interchangeable for commercial purposes and whose properties are essentially identical.

(g) *A good wholly obtained or produced*. A good “wholly obtained or produced” in a country means:

(1) A mineral good extracted in that country;

(2) A vegetable or plant good harvested in that country;

(3) A live animal born and raised in that country;

(4) A good obtained from hunting, trapping or fishing in that country;

(5) A good (fish, shellfish and other marine life) taken from the sea by vessels registered or recorded with that country and flying its flag;

(6) A good produced on board factory ships from the goods referred to in paragraph (g)(5) of this section, provided such factory ships are registered